

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
E/S Driveway, 50' N of Chesapeake Ave.	*	DEPUTY ZONING COMMISSIONER
at a point 1,200' +/- E of Baylight Ave.	*	
15th Election District	*	OF BALTIMORE COUNTY
7th Councilmanic District	*	
(9110 Chesapeake Avenue)	*	CASE NO. 02-427-A
Tammi L. & Kevin L. Reeder	*	
Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Tammi L. and Kevin L. Reeder. The variance request is for property located at 9110 Chesapeake Avenue in the eastern area of Baltimore County. The Petitioners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (swimming pool) to be located in the front yard in lieu of the required rear yard. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

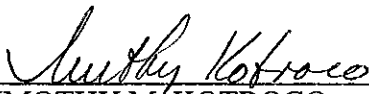
The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

5/1/02
 R. Reeder

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 15th day of May, 2002, that a variance from Section 400.1 of the B.C.Z.R., to permit an accessory structure (swimming pool) to be located in the front yard in lieu of the required rear yard, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

RECEIVED
MAY 15 2002
5/15/02
R. Johnson



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

May 1, 2002

Mr. & Mrs. Kevin L. Reeder
9110 Chesapeake Avenue
Baltimore, Maryland 21219

Re: Petition for Administrative Variance
Case No. 02-427-A
Property: 9110 Chesapeake Avenue

Dear Mr. & Mrs. Reeder:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



CRITICAL AREA



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 9110 Chesapeake Ave.
which is presently zoned DR-5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 To allow an accessory structure (pool) to be located in the front yard in lieu of the required rear yard.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

9110 Chesapeake Ave 410-427-3927
Address Telephone No.

Balto, md, 21219
City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 02-427-A

REV 10/25/01

Reviewed By [Signature] Date 4-2-02

Estimated Posting Date 4-15-02

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

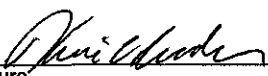
That the Affiant(s) does/do presently reside at

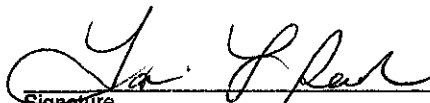
9110 Chesapeake Ave.
Address
BALTO., MD. 21219
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (Indicate hardship or practical difficulty):

We would like to place a 12x24 pool on the waterside of our home. Since the waterside is considered the "front" yard, we would like permission to place it on that side. Thank you.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.


Signature
Kevin L. Reeder
Name - Type or Print

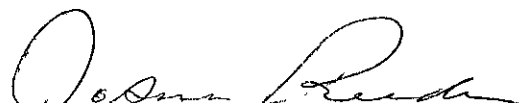

Signature
Tammi L. Reeder
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2 day of April, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Tammi REEDER / Kevin L. REEDER
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal


Notary Public
My Commission Expires 11/02

Zoning Description
9110 Chesapeake Avenue

Beginning at a point on the east side of an easement (drive)^{56'} North of
Chesapeake Ave. at a point 1,200 feet + or - east of Baylight Ave.
Being Lot #32 - Baylight Beach recorded in Baltimore County Plat Book #7,
Folio #26 containing .228 acres/9936 sq. ft. also known as 9110 Chesapeake
Ave. and located in the 15th Election District - 7th Councilmanic District.

427

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Case No. 11178

02-427-A

DATE 4-02-02 ACCOUNT R-001-06-6150
AMOUNT \$ 50.00

RECEIVED FROM: Mrs. E. MRS. Reader

FOR: Residential Variance Filing Fee
9110 Chesapeake Ave.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME
4/03/2002 4/02/2002 15:52:58

REG W506 WALKIN RIDG L&B DRYER 5
>> RECEIPT # 259314 4/03/2002 GFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 011178

Recpt Tot \$50.00
.00 CK 60.00 CA
10.00 CS

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 02-427-A

Petitioner/Developer: REEDER

Date of Hearing/Closing: 4/30/02

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at 9110 CHESAPEAKE
AVE

The sign(s) were posted on 4/15/02
(Month, Day, Year)

Sincerely,

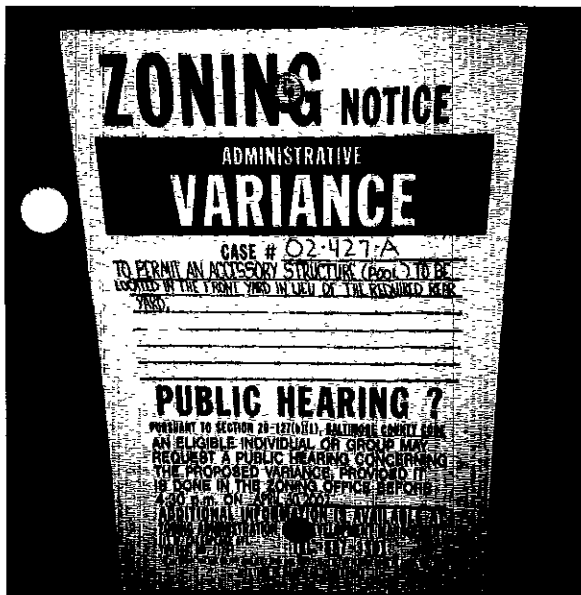
[Signature] 4/15/02
(Signature of Sign Poster and Date)

SSG ROBERT BLACK
(Printed Name)

1508 Leslie Rd
(Address)

Dundalk, Maryland 21222
(City, State, Zip Code)

(410) 282-7940
(Telephone Number)



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 02-427-A

Petitioners Kevin & Tammi Reeder

Address or Location: 9110 Chesapeake Ave.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Same

Address: _____

Baltoy md. 21219

Telephone Number: 410-427-3927

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 427 -A Address 9110 Chesapeake Ave.

Contact Person: John Sullivan Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 4-02-02 Posting Date: 4-15-02 Closing Date: 4-30-02

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 02- 427 -A Address 9110 Chesapeake Ave.

Petitioner's Name Mr & Mrs. Reeder Telephone 410-477-3927

Posting Date: 4-15-02 Closing Date: 4-30-02

Wording for Sign: To Permit an accessory structure (pool) to be
located in the front yard in lieu of the required
rear yard.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

April 29, 2002

Mr. & Mrs. Kevin L Reeder
9110 Chesapeake Avenue
Baltimore MD 21219

Dear Mr. & Mrs. Reeder:

RE: Case Number: 02-427-A,

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 2, 2002.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

DATE: May 21, 2002

FROM: Robert W. Bowling, Supervisor *RWB/DAK*
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for *April 22, 2002*
Item Nos. 424, 427, 428, 429, 430, 431,
433, 434, 435, 436, 437, 438, 439, 440,
441 and 442

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:CEN:cab

cc: File



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

April 18, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF April 8, 2002

Item No.: See Below

Dear Mr. Zahner:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

426-435, 437-439

427

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File
COUNTY REVIEW GROUP MEETING{PRIVATE }

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

DATE: May 30, 2002

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS/TGT*

DATE: May 30, 2002

SUBJECT: Zoning Item 427
Address 9110 Chesapeake Avenue (Reeder Property)

Zoning Advisory Committee Meeting of 4/22/02

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

_____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

_____ If streams or wetlands occur on or within 200 feet of the property, the development of the property may need to comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additional Comments:

See the attached CBCA Zoning Comments.

Reviewer: Keith Kelley

Date: 5/7/02

CBCA Zoning Comments (zoning item # 427)

☒ The property is located within the Limited Development Area (LDA) of the Chesapeake Bay Critical Area (CBCA).

☐ This proposal must use best management practices, which reduce pollutant loadings by 10%.

☐ Man-made impervious surfaces are limited to 15% for lots greater than ½ acre in size.

☒ Man-made impervious surfaces are limited to 25% for lots less than ½ acre in size.

☒ Mitigation is required if exceeding the 25% impervious surface limit. Impervious surfaces are limited to 31.25% of the lot. Otherwise, a Critical Area Administrative Variance (CAAV) is required.

☐ If permitted development on a property currently exceeds impervious surface limits, that percentage may be maintained during redevelopment of the property.

☒ 15% forest must be established or maintained. This equates to 3 trees for a lot of this size.

☒ Any tree removed in the buffer for this structure must be replaced on a 1:1 basis.

☐ All downspouts must discharge rainwater runoff across a pervious surface such as a lawn.

☒ The lot is in a Buffer Management Area (BMA). Mitigation (planting trees, removing impervious area, or paying a fee-in-lieu) is required for the placement of the proposed structure within 100' of tidal waters.

☐ If the lot is unimproved, then the proposed dwelling cannot go any closer to the water than the neighboring dwelling farthest away from the water.

☐ If the lot is improved, then the proposed dwelling can go as close to the water as the existing dwelling.

☐ A Critical Area Administrative Variance (CAAV) is required for the placement of the proposed structure within 100' of tidal waters, tidal wetlands, stream, or within 25' of non-tidal wetlands.

☐ A Critical Area Administrative Variance (CAAV) is required since the proposed principal structure cannot honor the required 35' residential building setback or 25' commercial building setback from the 25' or 100' buffer.

AY
4/30

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: April 30, 2002


FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

APR 30 . . .

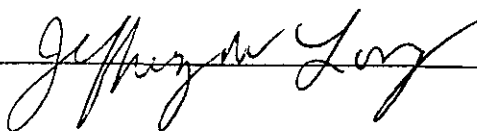
SUBJECT: Zoning Advisory Petition(s): Case(s) 02-360, 02-380, 02-410, 02-427, 02-431,
02-434, and, 02-442

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

_____

Section Chief:

_____

AFK/LL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 4.18.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 427

JJS

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

1. Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 9110 CHESAPEAKE AVE

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: BAYLIGHT BEACH

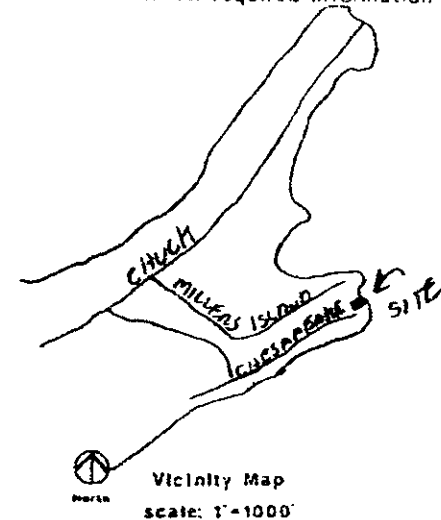
plat book # 7, folio # 26, lot # 32, section # —

OWNER: LUKE & TAMMEY REEDER

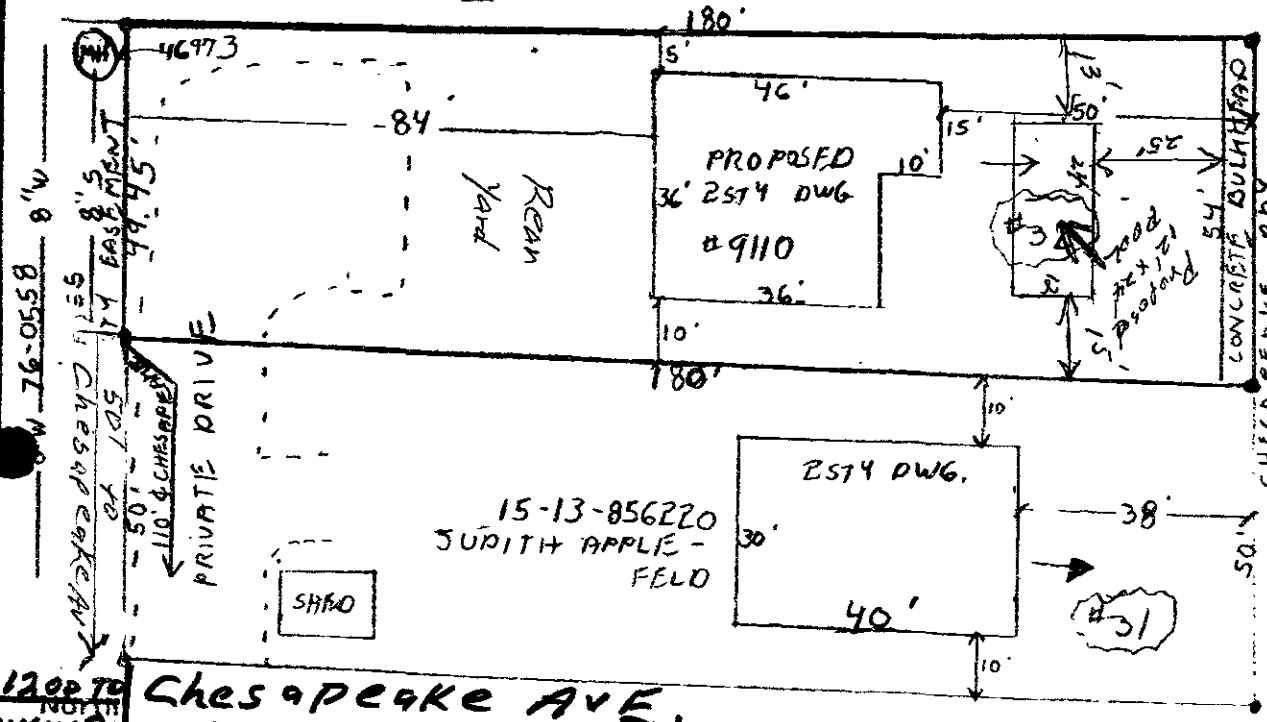
15-16-550174
GEORGE & GEORGIA
PLA NOTORIS

"VACANT"

332



PAPER ROAD 30' WIDE
CLOSED PER APPLICANTS.



LOCATION INFORMATION

Election District: 15
Councilmanic District: 5
1"-200 scale map: SE 7-K
Zoning: DR 5.5
Lot size: .228 9936
acreage square feet

SEWER: ☒ public ☐ private
WATER: ☒ public ☐ private

Chesapeake Bay Critical Area: ☒ ☐
Prior Zoning Hearings: 01-325-A NONE

Zoning Office USE ONLY!

reviewed by: JA ITEM #: 427 CASE #:

120074 Chesapeake Ave.

date: 2-5-01

prepared by: BUCK JONES Scale of Drawing: 1" = 30'

Ret OK

Front

